IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 871 OF 2006

1. Alankar @ Veer Mohan
Rawat and anr. ....Applicants.

V/s

State of Maharashtra ....Respondent.

Ms. Pooja Bhojne for the applicants.
Ms. Rajeshree M. Gadhvi, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 17th March, 2006

P.C:

1. Heard the learned Counsel for the applicants and the learned APP for the State.

2. The applicants are arrested in connection with C.R. No. 410 of 2005 registered with Kandivali Police Station for the offence punishable under section 302 read with section 34 of the Indian Penal Code.

3. It is alleged that there was a dispute between the deceased and the father of the applicants. The prosecution case is that the father of the applicants caught hold of the neck of the deceased and the present applicants assaulted him with fist blows and

kick blows. Subsequently, the victim succumbed to the injuries. The post-mortem notes indicate that he had died due to haemorrhage and shock and due to internal injuries to spleen and kidneys. It is an admitted position that no lethal weapons were used by any of the accused. The charge-sheet has been filed. The applicants are 18 and 21 years of age respectively. There are no criminal antecedents. The trial is not likely to commence within a short time.

4. Under these circumstances, in my view, the applicants are entitled to be released on bail. The applicants be released on bail in the sum of Rs 5000/- each with one or two sureties in the like amount each. The applicants to report to Kandivali Police Station once in a month till the disposal of the trial.

5. Application is accordingly disposed of.

V.M. KANADE, J.